

Minutes of a Town Council meeting held on April 10th, AD 2014 at 7:00 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M Bodington, III, Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also present: Richard S. Humphrey, Town Solicitor and Tom Dunn, Business Manager.

Salute to the Flag.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the March 20, 2014 Town Council meeting minutes.

Scott Morrison, Chairman of the Charter Review Commission made an announcement that the Commission is in its final stages of review.

They will be holding a public hearing on April 28th at 6:30 PM in the Town Council Chambers to review the preliminary list of twelve (12) recommendations for amendments to the Charter. A final vote to recommend will occur in May for referral to the Council for their consideration for inclusion on the ballot for the November 4, 2014 Election.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Maintenance

Department Head Report for March 2014.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Building Officials Department Head Reports for July, August and September 2013.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the payment of \$6,000 to ICM Corp. for Clerk of the Works services for March 2014 and \$5,310 to ICM Corp. for Project Manager services for March 2014 and \$4,952.95 to the Little Compton School Department as a reimbursement for a Verizon DEMARC expense for a total of \$16,262.95 to be charged the Bond Anticipation Note for the School Renovation Project under BAN Disbursement #26.

The contractors are in the final stages of completing the renovation project and it is anticipated that the School will take occupancy of the building on April 28, 2014.

Hillary Woodhouse and Denise Wilkie of Stay At Home, Inc. made a brief presentation to the Council concerning a proposal for a senior transportation program. The Councilors are in favor of this proposed

program. Discussion centered on what size vehicle would be in the best interest of the town to pursue for purchase. Stay At Home, Inc. suggests an eight (8) passenger rather than a larger capacity vehicle that would require a Commercial Drivers License to operate. Stay At Home, Inc. wishes to apply for a grant from the RI Foundation for a pilot program.

Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To acknowledge that as the Town proceeds to procure a vehicle for senior transportation the Town wishes to engage the services of Stay At Home, Inc. to administer and operate a senior transportation program.

Councilor Bodington gave a report of his findings of the condition of the Town Landing. He noted that the condition has deteriorated significantly, especially the cliff area which he considers very dangerous. He suggest telephone segments be used to restrict vehicular traffic from the field and sectioning off an area for parking. He has a donor who is willing to donate telephone segments and railroad ties to the Town for free.

Councilors Appleton and Golembeske agree with the assessment of the area. During discussion it was suggested that an area be constrained by poles, set by re-bar to limit parking and vehicular travel over the field. Poles and signage should be placed to restrict

parking near the cliff and warn of the dangerous condition of the ledge area. It was noted that the use of these poles is considered a temporary solution to reduce further damage while a permanent solution can be developed.

Motion made by Councilor Mushen, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize Councilor Bodington to work with the Maintenance Department to procure donated telephone poles and railroad ties for use in cordoning off an area for parking, limiting parking near the cliff and restriction vehicular traffic at the Town Landing, and to direct the Maintenance Department to draft language for signage regarding the restrictions and warnings of danger near the cliff and to purchase said signs contingent upon the Town Solicitors review of the language.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize Councilor Mataronas to develop and secure a Request for Proposal to several hoist manufacturers for the replacement of a hoist at the Town Dock and to return to a future Council meeting with a recommendation, funding is anticipated to come from the Harbor Management Fund.

Councilor Mataronas briefed his fellow Councilors of the results of a telephone conference with State Officials concerning the State Boat

Ramp repair project. Funding is not readily available at this time which will delay the repairs until sometime between October 2014 and April 2015. During that time RI Dept. of Environmental Management has noted that they do not have the ability to maintain the ramp with the removal of the sand build-up. Councilor Mushen has reached out to the Nature Conservancy to determine if they will be capable of assisting with this maintenance work. Councilor Mataronas noted that the ramp is not capable of being used with the current amount of sand build-up. No votes were taken.

Councilor Mushen noted that the Adamsville Historical Association has a limited amount of funds for expenses related to the Adamsville Lights. The citizenry who is interested in restoring the lights will begin with Phase I to explore the needs of repair on the Crandall Road section. Mr. Don Williams is anxious to know if the Town is behind this as a valued project and will return to the Council at a future meeting with further information.

Councilor Mushen reported that he has no new information relating to the Willow Avenue gratis conveyance proposal. At this time he would like to leave the Article as submitted on the warrant for the Financial Town Meeting. Mr. Thomas Chace addressed the Council on this proposal. He is vehemently against the procurement of this property for several reasons:

- The property in question consists of wetlands over a majority of the**

area,

- Has a limited area at best for use due to the wetlands and set back restrictions,
- Has known contamination of salt and petroleum in its past records, acknowledged by the State of RI,
- Is zoned presently as residential, but he understands the Town would like to erect a maintenance garage thereby changing the zoning use to commercial, requiring a zoning variance or zoning change
- Even if the Town received the property as a gift it would be extremely costly for any construction or septic work, as a septic for this type of soil would be at minimum \$50,000

As an abutter Mr. Chace would like to be notified of any zoning changes proposed should the Town acquire the property.

Councilor Mushen noted that the Town is bound to complete an interim review of the Comprehensive Plan by June 2014. Over the next few weeks two (2) Planning Board Members and two (2) Councilors will review the plan for revisions, then refer to the State for a preliminary review, return to their respective meeting the first week in May to propose the amendments, conduct a joint public hearing on May 22, 2014 to submit a formal filing with Statewide Planning and return if needed to the first meeting in June for any amendments needed based on State comments.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To schedule a Joint Public Hearing, including a second reading, of the Town Council and the Planning Board to be held on May 22, 2014 to undertake a five (5) year interim review of the Comprehensive Plan of the Town of Little Compton.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Mataronas, Mushen) Councilor Golembeske opposed: To authorize a payment of \$250 to Placing Paws of Tiverton, RI as a donation towards the expenses incurred in the spay/neutering of Little Compton cats, said funds to be paid out of the spay/neuter fund mandated by the State of Rhode Island and derived from dog licenses issued by the Town.

Councilor Mushen asked his fellow councilors to consider a few modifications to Articles previously submitted for inclusion on the warrant for the Financial Town Meeting. After a brief discussion the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To amend the following Articles and resubmit to the Town Clerk for inclusion on the warrant for the

Annual Financial Town Meeting to be held May 20, 2014:

Delete the Article known as #7 – Town see if the Town will approve, per Section 103 of the Charter, acquisition o surplus state property at 148 Willow Avenue (Plat 29, Lot 9) for a sum not to exceed Seventy Nine Thousand, Nine Hundred Ninety (\$79,990.00) Dollars. The intended use of the property would include town maintenance facilities.

Redistribute funding as follows:

Know known as #15 –

To see if the Town will appropriate the sum of Seven Hundred Seventeen Thousand, Three Hundred Twenty One (\$717,321.00) Dollars to maintain the Little Compton Fire Department for the ensuing year. The estimated distribution to be as follows:

Salary, Chief \$71,862.00

Salaries, Part-Time 40,700.00

Salaries, (1)Capt.,(2)Lts.,(5)FF/EMT's 414,274.00

Longevity 16,231.00

Holiday Pay 27,764.00

Vacation,Sick & Overtime Repl. 117,340.00

Cardiac/Paramedic Incentive 5,350.00

Uniform Allowance 10,800.00

Part-Timers Clothing 3,000.00

Training 5,000.00

Department Expenses 5,000.00

\$ 717,321.00

Know known as #16 –

To see if the Town will authorize the Ambulance Reimbursement Fund to receive and expend monies up to \$166,900 from reimbursement payments received from third party billers. All revenues generated by said reimbursement payments shall be deposited in the Ambulance Reimbursement Fund and expended by the Town Council for Fire Department equipment and other related expenses.

To reduce the Article Know known as #42 as follows:

To see if the Town will appropriate the sum of Sixty Two Thousand, Eight Hundred Forty Nine (\$62,849.00) Dollars for legal services for the ensuing year. Distribution as follows:

Town Solicitor \$ 48,000.00

Other legal services 14,849.00

\$ 62,849.00

Two (2) bids were received for the purchase of a dump truck for the Highway Department listed as follows:

Imperial Municipal Partners quotes on two vehicles

**154 East Main Street (Rte. 16) 2015 Ford Super Duty F-350 \$39,835
Milford, MA**

2006 Chevrolet 3500 Reg. Cab \$26,887

Mileage – 37,000

Stoneham Motor Co. quotes on two vehicles

211 Main Street 2008 Ford F-350 \$35,500

Stoneham, MA mileage – 28,521

2010 Ford F-350 \$28,603

Mileage – 52,000

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize Councilor Golembeske to review with the Director of Public Works two (2) sets of bids submitted for the purchase of a dump truck for the Highway Department and to return to a future Council meeting with a recommendation to accept or reject any/or bills.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To designate Gareth Eames as the Interim Building Official and as an Alternate Building Official to meet future needs.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To ratify the following resolution adopted by the Town Council President on March 31, 2014:

RESOLUTION OF THE TOWN COUNCIL OF LITTLE COMPTON

in recognition of

DAN BEARDSLEY

WHEREAS: Dan Beardsley has served the Rhode Island League of Cities and Towns for four decades; and

WHEREAS: His dedication, persistence, integrity and willingness to help have resulted in exceptional achievement throughout his service; and

WHEREAS: His expert assistance in municipal labor contracts was invaluable to the Town in the formulation of its first public safety contracts;

NOW THEREFORE BE IT RESOLVED THAT:

The Town Council of the Town of Little Compton hereby expresses its deep appreciation for the extraordinary service of Dan Beardsley to this town, to all the municipalities, and to the citizens of the State of Rhode Island.

FOR THE TOWN COUNCIL: Robert L. Mushen

Town Council President

Adopted 31 March 2014

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To oppose S-2677 and H-7631 through the following resolution:

Resolution to Oppose

S-2677 and H-7631 relating to Levy and Assessment of Taxes

WHEREAS, it is standard practice in Rhode Island and our neighboring states to assess partially completed structures on a percentage of completion basis; and

WHEREAS, it is estimated that exempting single family development homes and condos from taxation until a development property is sold would result in lost property tax revenue statewide conservatively estimated at \$2,000,000 annually beginning in FY2015; and

WHEREAS, the special exemption would result in conflicting tax treatment for other new or rehabilitated structures; and

WHEREAS, the end result would be that existing taxpayers would subsidize developers of new homes;

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Little Compton, Rhode Island oppose S-2677 and H-7631.

AND, BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Senator Louis P. DiPalma, State Representative Dennis M. Canario, Governor Lincoln Chafee, Senate President Teresa Paiva-Weed and House Speaker Nicholas Mattiello, urging the defeat of S-2677 and H-7631.

Adopted by the Little Compton Town Council on this 10th day of April, 2014.

Robert L. Mushen, Town Council President

Motion made by Councilor Mushen, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To convene a Special Financial Town Meeting immediately prior to the Annual Financial Town Meeting to be held on May 20, 2014 at a time to be determined best by the Moderator, Town Clerk, Town council President and Town Solicitor for the purpose of authorizing the expenditure of a sum not to exceed \$250,000 for the final retainage for the restoration of the Wilbur-McMahon School

Project, the exact wording of the article to be placed in the Special Financial Town Meeting warrant shall be drafted by the Town Solicitor.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To join in opposing Senate Bill 2014 – S2411 and House Bills 204 – H7464 & 2014 H7465; acts relating to labor and labor relations – arbitration – continuance of contractual provisions and to place on file all five (5) resolutions adopted by the Burrillville Town Council listed as follows:

- a. Supporting Senate Bill 2014-S2135 – House Bills 2014- H7095 & 2014- H7580; relative to Common Core Mandates and Standards**
- b. Opposing Senate Bill 2014 – S2411; an act relating to labor & labor relations – arbitration – continuance of contractual provisions**
- c. Opposing House Bills 2014 – H7464 & 2014 – H7465; relating to labor & labor relations; continuance of contractual provisions**
- d. Supporting House Bills 2014 – H7501 & 2014 – H7502; Acts relating to courts and civil procedures – interest on judgments**
- e. Supporting House Bill 2014 – H7291; amendments to §16-7-44; school housing project costs.**

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To request the Police Chief render a recommendation regarding concern raised by individuals

over the appropriateness of traffic controls on Adamsville Roads.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the following resolutions adopted by the South Kingstown School Committee:

- a. Request that the General Assembly introduce and pass legislation “authorizing the School Committees of the Cities and Towns to utilize bus monitors at their discretion.”**
- b. Opposing the elimination of Group Home Aid reimbursements to Cities and Towns**
- c. Urging the General Assembly to move the layoff notice for teachers from March 1st to June 1st**
- d. Supporting the repeal of straight party voting option on election ballots**
- e. Opposing any legislation that would mandate expired teacher contracts to continue at existing terms and conditions**

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a resolution adopted by the Foster Town Council opposing Senate Bill S-2677 and House Bill H-7631 relating to levy and assessment of taxes.

Motion made by Councilor Mataronas, receiving a second by

Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a letter received by William L. Moore, DPW Director from the RI Dept. of Environmental Management releasing the Notice of Intent to Enforce concerning our salt storage at the transfer station due to the acceptance of the Town's response.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a letter of interest to work for the Town receive from Adolfo Bailon.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the Little Compton Community Center to use the town property on the following dates and times, excepting that a request to use 32 Commons has been tabled until further discussion can take place:

Veteran's Field, weekdays, 9 am to 12 pm, July 1-31, and August 4-15

Baseball Field, weekdays, 9 am to 12 pm, July 7-18

Tennis Courts, weekdays, 9:30 am to 12 pm, July 7-18 and August 11-15

Basketball Court, weekdays, 9 am to 12 pm, July 7-31 and August 4-8

Motion made by Councilor Bodington, receiving a second by

Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To ask a representative of the Senior Tennis League of Little Compton to attend the April 24, 2014 meeting to speak with the Council regarding the leagues use of the town tennis courts.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a resolution adopted by the Smithfield School Committee concerning maintenance of Smithfield recreational property.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a resolution adopted by the Burrillville Town Council opposing Senate Bill S-2677 relating to levy and assessment of taxes.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to contact the RI S.W.A.T. a softball league to determine the extent of the leagues request to the Town Council and to refer to the Recreation, Conservation and Open Space Committee if the situation calls for it.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the following consent calendar items:

- 5. Copy of a resolution adopted by the Portsmouth Town Council supporting the repeal of master lever voting (S-2091)**
- 6. Notice from RI Division of Public Utilities and Carriers of a hearing held April 3, 2014 regarding a Jitney certificate holder request to amend it authority by adding five (5) additional routes**
- 7. Letter supporting English as the official language (this subject has previously been handled and filed)**

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$29,104.37

Paychex of New York LLC - Treasurer \$411.95

Paychex of New York LLC - Treasurer \$424.33

Petro - Maintenance \$449.16

Petro - Public Safety Complex \$1,784.81

Petro - Maintenance \$179.05

petro - Maintenance \$279.81

Petro - Gasoline \$2,833.96

Petro - Diesel \$1,285.90

Petro - 32 Commons \$613.08

NEACTC - Town Clerk \$25.00

Paul's Press - Budget Committee \$244.00

Hope Taylor - Tree Committee \$148.29

Sakonnet Tree Inc. - Tree Committee \$230.00

ACS - Town Clerk \$1,299.00

Richard S Humphrey - Legal services \$116.00

Richard S Humphrey - Legal services \$652.50

Cox Communications - 32 Commons \$29.28

Cox - Town hall misc depts. \$265.00

Cox - Computer \$252.00

RI HarborMasters Assoc. - Harbor Mngt. Fund \$25.00

Matthew Bender & Co. Inc. - Town Hall \$105.32

Tom's Lawn & Garden - Maintenance \$2,390.60

Joseph Stankiewicz - Maintenance \$130.00

Nationalgrid - Street Lights \$24.32

Nationalgrid - Street Lights Town Dock \$43.76

Postmaster - Treasurer \$196.00

Effluent Technologies - Wastewater Treatment Facility \$1,302.50

KTR Maintenance & Supply Co - Town Hall \$46.54

Dave Venancio - Inspectors \$930.00

ASM Stonescapes - Snow removal \$256.00

Rob's Auto Care Inc. - Maintenance \$463.90

Fisher Bus Inc. - Senior Busing \$300.00

EastBay Newspapers - Town Clerk \$69.30

EastBay Newspapers - Probate \$40.00

Wilbur's General Store - Maintenance \$8.24

Wilbur's General Store - Town Hall \$17.14

Direct Energy - Street Lights \$11.27

Direct Energy - Street Lights Town Dock \$11.95

Walco - Harbor Management Fund Town Dock \$920.00

Gareth Eames - Building Officials Office \$1,974.96

Nationalgrid - Public Safety Complex \$1,040.89

Nationalgrid - Transfer Station \$96.70

Denise Cosgrove - Assessors \$52.64

Occupational Health Centers of Southwest, PA - Fire Dept. \$524.00

Firematic Supply Co Inc. - Fire Dept. \$2,324.00

Wilbur's General Store - Fire Dept. \$11.50

Southcoast Hospitals Group - Fire Dept. \$3.26

Verizon Wireless - Fire Dept. \$124.95

Tritech Software Systems - Fire Dept. \$150.00

Somerset Uniform & Supply Co. - Fire Dept. \$136.00

Firematic Supply Co Inc. - Fire Dept. \$373.18

LG Communications - Fire Dept. \$526.00

Vic's Car Wash - Fire Dept. \$19.00 \$4,191.89

William L Moore - Highway \$210.00

William L Moore - Inspectors \$510.00

Secretary of State - Town Clerk \$80.00

Verizon Wireless - Drug Forfeiture \$302.75

Rhode Island Attorney General - Drug Forfeiture \$60.00 \$362.75

Cox Communication/Internet - Police Dept. \$171.00

Cox Communication/Telephone - Police Dept. \$184.27

W.B. Mason - Police Dept. \$29.75

Vic's Car Wash - Police Dept. \$28.50

Sakonnet Veterinary Hospital - Police Dept. \$440.00

Rob's Auto - Police Dept. \$45.00

Belmont Springs - Police Dept. \$16.04 \$914.56

WB Mason - Treasurer - Town Hall \$100.09

Verizon Wireless - maintenance \$30.28

Verizon Wireless - maintenance \$33.09

Verizon Wireless - Transfer Station \$30.32

Verizon Wireless - Building Official \$59.00

Edith Marion - zoning board - building - planning \$308.00

RI Town & City Clerks Assoc. - Town Clerk \$30.00

Gary S Mataronas - Town Council \$44.24

US Postmaster - Town Hall \$220.00

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 9:00 PM.

Carol A Wordell, Town Clerk